REMARKS

Claims 1, 3, and 4 are currently pending. Claim 2 was previously cancelled without prejudice. Claims 1 and 4 are amended to more particularly recite what the Applicants regard as their invention. Support for these amendments can be found throughout the specification and, specifically, in the Abstract, for example. Applicants respectfully submit that no new material is being added by way of this amendment.

Rejections Under 35 U.S.C. § 102

Claims 1 and 4 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent Publication No. 2002/0077079 to Ishihara ("Ishihara"). Applicants respectfully submit that claims 1 and 4, as amended, distinguish over the cited reference for at least the reasons that follow.

Amended claim 1 describes a mobile communication device with a locking function for disabling operation. The locking function can be temporarily cancelled by a predetermined operation of at least one first operation unit while the communication device is closed and in a locked state. Amended claim 1 further recites that "while the locking function is being temporarily cancelled, if a new operation is performed on at least one of the first operation units within a predetermined time period since a last operation performed on at least one of the first operation units, the operation control unit restarts counting the predetermined time period from the time of the new operation performed on at least one of the first operation units." The temporary cancellation of the locking function is terminated if "the predetermined time period has elapsed since a last operation performed on at least one of the first operation units or if the case is opened an operation for opening the case is detected." The temporal cancellation of the locking function is maintained "unless the predetermined time period has elapsed since a last operation performed on at least one of the first operation units."

As an exemplary advantage to embodiments of the present invention, if an operation is performed on at least one of the first operation units within a predetermined time period (e.g., three seconds) since the last operation performed on at least one of the first operation units, the temporal

cancellation of the locking function is maintained for an additional predetermined time period (e.g., three seconds) from the time of the new operation performed on at least one of the first operation units. During this additional predetermined time period, further operation can be performed on at least one of the first operation units. That is, as long as a new operation is performed on at least one of the first operation units within the predetermined time period since the last operation on at least one of the first operation units, the temporal cancellation of the locking function is maintained. In this way, claim 1 advantageously provides for (1) repeated temporal cancellation of the locking function until a necessary input is completed and (2) termination of the temporal cancellation of the locking function if (a) a new operation is not performed on at least one of the first operation units for the predetermined time period since the last operation on at least one of the first operation units or (b) the case is opened.

Ishihara cannot reasonably be said to teach or suggest "while the locking function is being temporarily cancelled, if a new operation is performed on at least one of the first operation units within a predetermined time period since a last operation performed on at least one of the first operation units, the operation control unit restarts counting the predetermined time period from the time of the new operation performed on at least one of the first operation units." As noted by the Examiner, "Ishihara discloses that a timer is started to count the time-out period after the mobile phone is folded" and "until the timer expires, the phone is temporarily maintained to be unlocked." (Final Office Action, mailed 09/07/2011, Page 2 (citing Ishihara at ¶ 0092).) Indeed, Ishihara notes that the timer is stopped if the phone is unfolded and then restarted when the phone is again folded. (Ishihara at ¶ 0092 ("When the unfolded mobile terminal is folded again ('YES' in the step T 32), the dial lock setting timer is started again so as to count the time-out period (step T 35).").) If the phone remains folded, the timer expires. (*Id.*) Therefore, according to Ishihara, the time-out period (e.g., three seconds) is counted from the time of an operation performed on at least one of the first operation units (referred to as a "first operation" for convenience). In Ishihara, even if a new operation is performed on at least one of the first operation units within three seconds from the time of the first operation, counting of the time-out period is continued. When three seconds have passed since the time of the first operation, it is judged that the time-out period has elapsed, thereby

triggering a dial lock. Therefore, Ishihara can not achieve the advantageous effects of embodiments of the present application, i.e., maintaining the temporal cancellation of the locking function until a necessary input is completed.

Furthermore, Ishihara is silent about terminating the cancellation of the locking function when the operation for opening the case is detected, which is one of the features of the present invention. The present invention enables the locking function when the case is opened. This advantageous effect cannot be achieved by Ishihara.

Therefore, claim 1, as amended, is respectfully submitted to patentably distinguish over Ishihara. Claim 4, as amended, includes limitations substantially similar to claim 1 with respect to maintaining a temporal cancellation of a locking function. Accordingly, claim 4 is also respectfully submitted to patentably distinguish over Ishihara for at least the reasons stated above with respect to claim 1.

Rejections Under 35 U.S.C. § 103

Claim 3 stands rejected under 35 U.S.C. § 103 as allegedly unpatentable over Ishihara in view of U.S. Patent No. 6,370,362 to Hansen et al. ("Hansen") and further in view of A5306ST Instruction Manual. Neither Hansen nor the A5306ST Instruction Manual resolves the deficiencies of Ishihara outlined above. Accordingly, Applicants respectfully submit that claim 3 inherits the patentability of claim 1 for at least the reasons stated above.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and

authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 278542007000. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: **December 7, 2011**   Respectfully submitted,

                                         Electronic signature: /Desmond O'Sullivan/
                                         Desmond O'Sullivan
                                             Registration No.: 67,576
                                         MORRISON & FOERSTER LLP
                                         12531 High Bluff Drive, Suite 100
                                         San Diego, California 92130-2040
                                         (858) 314-7794